

Pechman Law Group PLLC

488 Madison Avenue, 11th Fl.

New York, NY 10022

Phone: (212) 583-9500 | **Fax:**

ACCOUNT STATEMENT

Prepared for:
Angel Capote

RE:
Katzman Produce, Inc.

Previous Balance	\$0.00
Current Charges	\$36,041.50
New Balance	\$36,041.50
Adjustments	\$0.00
Payments	\$0.00
Now Due	\$36,041.50
Trust Account	\$0.00

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PRE-BILL

Angel Capote

Invoice Date	April 11, 2016
Invoice Number	Pre-bill
Invoice Amount	\$36,041.50

Matter: Katzman Produce, Inc.

Attorney's Fees

7/15/2015	Initial meeting with Capote.	L.P.	1.20	\$720.00
7/15/2015	Initial consult with Angel Capote.	G.J.C.	1.20	\$480.00
7/21/2015	Review all ADP paystubs, dating from 2012 to the present, provided by Capote in preparation for drafting Complaint and, later, damages calculations.	G.J.C.	1.10	\$440.00
7/31/2015	Review and revise Complaint.	G.J.C.	1.30	\$520.00
8/3/2015	Review and revise Complaint based on information provided by Capote, Capote's paystubs, and TLO search results.	G.J.C.	3.40	\$1,360.00
8/4/2015	Review and revise Complaint with Capote.	G.J.C.	1.00	\$400.00
8/5/2015	Review and revise Complaint based on information provided by Capote.	G.J.C.	0.30	\$120.00
8/7/2015	Review and revise Complaint.	G.J.C.	0.20	\$80.00
8/9/2015	Review and revise Complaint.	L.P.	1.30	\$780.00
8/10/2015	Review and revise Complaint.	G.J.C.	0.20	\$80.00
8/12/2015	Discussion with Capote and Cuadra re: Complaint.	L.P.	0.10	\$60.00
8/12/2015	Review and finalize Complaint; prepare civil cover sheet.	G.J.C.	0.60	\$240.00
8/12/2015	Speak with Pechman and Capote re demand letter and filing of lawsuit; e-mail Capote Complaint.	G.J.C.	0.10	\$40.00

8/14/2015	Email to Willis Goldsmith, opposing counsel, re: pre-filing resolution.	L.P.	0.20	\$120.00
8/17/2015	Review file and draft and submit FOIA and FOIL requests to the US and NY Departments of Labor.	G.J.C.	0.40	\$160.00
8/20/2015	Telephone conference with Kristina Yost, opposing counsel, re: tolling agreement and background in case; she says other plaintiffs had different positions.	L.P.	0.30	\$180.00
8/26/2015	Email to Jones Day re: tolling.	L.P.	0.10	\$60.00
9/3/2015	Telephone conference with Capote re: status of litigation and possibility of settlement.	L.P.	0.20	\$120.00
9/9/2015	Telephone conference with Cuadra and Yost re: documents, tolling agreement, and settlement negotiations.	L.P.	0.20	\$120.00
9/9/2015	Discuss settlement negotiations, terms of tolling agreement and possible settlement, and documents necessary for settlement with opposing counsel and Pechman.	G.J.C.	0.20	\$80.00
9/15/2015	Review tolling agreement and have it executed; review documents produced by defendants for settlement purposes.	G.J.C.	0.40	\$160.00
9/15/2015	Discuss status of case with Capote.	G.J.C.	0.20	\$80.00
9/16/2015	Review time records provided by defense counsel in connection with drafting damages calculations for settlement purposes.	G.J.C.	0.60	\$240.00
9/16/2015	Review documents received from opposing counsel in connection with drafting damages calculations.	G.J.C.	1.90	\$760.00
9/17/2015	Calculate damages based on documents provided by opposing counsel for settlement purposes and on paystubs received from Capote.	G.J.C.	1.70	\$680.00
9/21/2015	Finish first draft of damages calculations and send them to Pechman.	G.J.C.	0.50	\$200.00
9/30/2015	Discuss initial damages calculations, including documents relied on in calculating damages, amounts with Cuadra.	L.P.	0.40	\$240.00
10/1/2015	Revise damages calculations and send to Pechman.	G.J.C.	0.20	\$80.00
10/2/2015	Review case file, including paystubs and pay records produced by defendants, in connection with revising damages calculations in preparation for meeting with Capote.	G.J.C.	0.40	\$160.00
10/2/2015	Review damages calculations.	L.P.	0.30	\$180.00
10/6/2015	Proofread and edit damages calculations, and discuss them with Cuadra.	L.P.	0.40	\$240.00
10/6/2015	Meet with Capote to review damages and	L.P.	0.40	\$240.00

	status of settlement negotiations.			
10/6/2015	Discuss initial damages calculations with Pechman.	G.J.C.	0.30	\$120.00
10/6/2015	Review damages calculations, as well as documents underlying damages calculations, with Capote.	G.J.C.	1.00	\$400.00
10/16/2015	Finalize damages calculations and draft e-mail to opposing counsel attaching damages calculations.	G.J.C.	0.30	\$120.00
10/19/2015	Review and revise email to opposing counsel attaching damages calculations.	L.P.	0.10	\$60.00
10/30/2015	Telephone conference with Capote re strategy of case against Katzman.	L.P.	0.20	\$120.00
11/4/2015	Review court dockets for cases against Katzman Produce.	G.J.C.	0.60	\$240.00
11/9/2015	Discuss status and strategy of case with Capote.	G.J.C.	0.60	\$240.00
11/16/2015	Email initial demand to opposing counsel.	L.P.	0.10	\$60.00
11/30/2015	Leave Yost phone message re: possible settlement.	L.P.	0.10	\$60.00
11/30/2015	Call Yost with Pechman and leave her a voicemail to call us back to discuss possible settlement.	G.J.C.	0.10	\$40.00
12/1/2015	Discussion with Yost re: settlement.	L.P.	0.20	\$120.00
12/1/2015	Call client to discuss status of case, left a voicemail.	G.J.C.	0.10	\$40.00
12/1/2015	Discuss status of settlement with opposing counsel and Pechman.	G.J.C.	0.20	\$80.00
12/1/2015	Discuss status of case with client, including work duties and authority of our client to hire, fire, demote, promote, or discipline employees.	G.J.C.	0.50	\$200.00
12/4/2015	Review letter from opposing counsel re: possible settlement terms and e-mail Pechman re: terms proposed in letter and possible response.	G.J.C.	0.20	\$80.00
12/6/2015	Email exchanges with Capote re: Katzman response.	L.P.	0.30	\$180.00
12/7/2015	Discuss status of settlement and filing of lawsuit with Capote.	G.J.C.	0.30	\$120.00
12/8/2015	Discussion with Schaffer and Cuadra re: fluctuating workweek calculations.	L.P.	0.30	\$180.00
12/8/2015	Discuss fluctuating workweek method of calculation with Brian Schaffer, employment attorney, and Pechman.	G.J.C.	0.30	\$120.00
12/9/2015	Final look at revised Complaint.	L.P.	0.40	\$240.00
12/9/2015	Discuss status of case and filing with Capote and Pechman.	G.J.C.	0.20	\$80.00
12/9/2015	Email to defense counsel with Complaint.	L.P.	0.10	\$60.00

12/9/2015	Discuss filing of Complaint with Cuadra and Capote.	L.P.	0.20	\$120.00
12/9/2015	Finalize and file Complaint and civil cover sheet; e-mail Complaint to opposing counsel.	G.J.C.	1.20	\$480.00
12/15/2015	Telephone conference with Capote re: case status after filing of Complaint.	L.P.	0.20	\$120.00
12/17/2015	Discuss WTPA cause of action for failure to give notices, as interpreted in the Second Circuit, and damages for the cause of action with Cuadra.	L.P.	0.40	\$240.00
12/17/2015	E-mail opposing counsel the Court's Order re initial conference (ECF No. 4) and Judge Torres's Individual Rules.	G.J.C.	0.10	\$40.00
12/17/2015	Review letter from opposing counsel re Wage Theft Prevention Act claims and e-mail Pechman about argument made in letter.	G.J.C.	0.20	\$80.00
12/17/2015	Research Wage Theft Prevention Act causes of actions, elements, and requirements on employers, including decisions by Judges Torres and Francis on these issues, and discuss same with Pechman.	G.J.C.	2.20	\$880.00
12/18/2015	Discuss WTPA, including private causes of action under it, with Capote.	G.J.C.	0.60	\$240.00
12/21/2015	Research WTPA claims on behalf of a collective opt-in plaintiff, especially decisions by Judge Torres and Judge Francis.	G.J.C.	1.50	\$600.00
12/23/2015	Draft e-mail to Yost re Wage Theft Prevention Act Claim in response to her letter dated December 17, 2015.	G.J.C.	0.20	\$80.00
12/24/2015	Email exchange with Yost re dropping WTPA notice claim.	L.P.	0.30	\$180.00
12/30/2015	Discuss certification of collective action and Wage Theft Prevention Act claim with Yost and Pechman.	G.J.C.	0.30	\$120.00
12/30/2015	Discussion with Yost re: collective action and WTPA claim.	L.P.	0.30	\$180.00
1/4/2016	Review Answer, especially affirmative defenses and facts admitted.	G.J.C.	0.40	\$160.00
1/8/2016	Review Yost email re: FLSA Collective.	L.P.	0.10	\$60.00
1/12/2016	Discuss status of case and collective action motion with Capote; agree to meet on 1/19/16 at 4:30 p.m. to discuss in further detail.	G.J.C.	0.20	\$80.00
1/19/2016	Discuss status of case and strategy with Capote.	G.J.C.	1.30	\$520.00
1/26/2016	Draft consent to sue form.	G.J.C.	0.30	\$120.00
1/26/2016	Draft conditional certification stipulation.	G.J.C.	1.10	\$440.00
1/26/2016	Draft notice to FLSA collective.	G.J.C.	0.30	\$120.00
1/27/2016	Proofread and edit Stip and proposed order and	L.P.	0.70	\$420.00

	draft Notice of Lawsuit; discuss with Cuadra.			
1/27/2016	Review and revise proposed stipulation and order, notice, consent to sue form, and reminder letter for FLSA collective.	G.J.C.	0.90	\$360.00
1/27/2016	Draft and revise proposed stipulation and order, notice of lawsuit, and consent to sue form, as well as proposed reminder letter.	G.J.C.	1.20	\$480.00
1/28/2016	Review email exchange with Notice.	L.P.	0.20	\$120.00
1/28/2016	Finalize stipulation for conditional certification and send it to opposing counsel for review.	G.J.C.	0.90	\$360.00
1/29/2016	Email to Yost re: no response to settlement proposal.	L.P.	0.10	\$60.00
2/1/2016	E-mails with opposing counsel re workers to be included in collective action.	G.J.C.	0.20	\$80.00
2/1/2016	Review Judge Torres's rules re pre-motion conference and requirements to file motions.	G.J.C.	0.20	\$80.00
2/1/2016	Email exchanges with defense counsel re: Notice.	L.P.	0.20	\$120.00
2/2/2016	Discuss status of case with Capote.	G.J.C.	0.20	\$80.00
2/2/2016	E-mail opposing counsel re stipulation to conditional certification.	G.J.C.	0.10	\$40.00
2/3/2016	Review revised proposal from Yost.	L.P.	0.20	\$120.00
2/4/2016	Discuss settlement offer with Pechman.	G.J.C.	0.20	\$80.00
2/4/2016	Research fluctuating workweek decisions in the Second Circuit; research conditional collective action certification decisions by Judges Francis and Torres.	G.J.C.	2.70	\$1,080.00
2/4/2016	Discussion with Cuadra re: settlement offer.	L.P.	0.20	\$120.00
2/9/2016	Discussion with Capote and Cuadra re: settlement offer and case strategy.	L.P.	0.30	\$180.00
2/9/2016	Review draft letters received from opposing counsel.	G.J.C.	0.20	\$80.00
2/9/2016	E-mail client re call to discuss settlement agreement and initial conference letter.	G.J.C.	0.20	\$80.00
2/9/2016	Discuss settlement offer and strategy of case with Capote and Pechman.	G.J.C.	0.30	\$120.00
2/9/2016	Research double liquidated damage decisions by Judges Torres and Francis.	G.J.C.	0.90	\$360.00
2/9/2016	Discuss status of settlement and initial conference letter with Pechman and Yost.	G.J.C.	0.30	\$120.00
2/9/2016	Draft consent to sue form for Capote.	G.J.C.	0.10	\$40.00
2/9/2016	Telephone conference with defense counsel re: scheduling.	L.P.	0.30	\$180.00
2/10/2016	Draft case management plan and plaintiff's side of joint letter to Court.	G.J.C.	1.50	\$600.00
2/11/2016	Discussion with Capote re: status of possible settlement and FLSA Collective Certification Motion.	L.P.	0.40	\$240.00

2/11/2016	Draft collective certification pre-motion letter.	G.J.C.	0.80	\$320.00
2/11/2016	Draft pre-motion letter requesting conference for conditional certification of FLSA collective action.	G.J.C.	1.10	\$440.00
2/11/2016	Review, revise, and send to Pechman drafts of joint letter for initial conference and pre-motion letter.	G.J.C.	0.30	\$120.00
2/11/2016	Review, revise, and draft joint letter to Court and pre-motion letter in support of plaintiff's motion for conditional certification of an FLSA collective action.	G.J.C.	2.30	\$920.00
2/11/2016	Discuss status of case, possibility of a collective action, and settlement amounts and negotiations with Pechman and Capote.	G.J.C.	0.40	\$160.00
2/11/2016	Research, draft, and revise joint letter to Judge Torres.	G.J.C.	1.20	\$480.00
2/12/2016	Review joint letter and civil case management plan filed on ECF.	G.J.C.	0.10	\$40.00
2/12/2016	Discuss joint letter and possible settlement of case with opposing counsel and Pechman.	G.J.C.	0.20	\$80.00
2/12/2016	Discuss letters to judge with Pechman.	G.J.C.	0.10	\$40.00
2/12/2016	Discuss settlement amounts with Capote, then e-mail opposing counsel with offer of \$85,000, but without Capote resigning from Katzman.	G.J.C.	0.30	\$120.00
2/12/2016	Speak with opposing counsel, who said defendants are offering \$40k.	G.J.C.	0.20	\$80.00
2/12/2016	Review and revise letters to Court; discussion with Cuadra re: same.	L.P.	0.60	\$360.00
2/12/2016	Discussion with opposing counsel and Cuadra re: possible settlement.	L.P.	0.20	\$120.00
2/12/2016	Review, revise, and draft letters to Court with Pechman and send them to opposing counsel.	G.J.C.	0.60	\$240.00
2/16/2016	Discuss settlement with Capote and Pechman.	G.J.C.	0.60	\$240.00
2/16/2016	Research fluctuating workweek's application to case and calculate damages under that method.	G.J.C.	0.90	\$360.00
2/16/2016	Draft and send e-mail to opposing counsel re settlement discussions and pre-motion letter.	G.J.C.	0.20	\$80.00
2/16/2016	Discussion with Cuadra re: approach; review email exchange with defense counsel.	L.P.	0.40	\$240.00
2/16/2016	Telephone conference with Capote re: status of possible settlement and collective action motion.	L.P.	0.60	\$360.00
2/16/2016	Review settlement offer from defendants; discuss settlement offer with Pechman; discuss settlement offer with Capote; draft and send e-mail to opposing counsel with lowered settlement demand.	G.J.C.	0.40	\$160.00

2/17/2016	Research fluctuating workweek decisions from all 2d Circuit courts.	G.J.C.	1.20	\$480.00
2/17/2016	Discuss settlement amounts with Pechman; draft and send e-mail to opposing counsel re client's final offer.	G.J.C.	0.10	\$40.00
2/17/2016	Discussion with Cuadra re: settlement.	L.P.	0.10	\$60.00
2/17/2016	Discuss possible settlement with opposing counsel, who offered \$65,000 to settle the case.	G.J.C.	0.20	\$80.00
2/17/2016	Discuss settlement amounts with Capote; discuss settlement with Yost and Pechman.	G.J.C.	0.40	\$160.00
2/17/2016	Discuss settlement amounts with Capote, then with Pechman, and then send proposed settlement amount to opposing counsel.	G.J.C.	0.60	\$240.00
2/17/2016	Discuss initial conference and possible settlement with Pechman; prepare documents for initial conference for Pechman.	G.J.C.	0.40	\$160.00
2/17/2016	Discuss settlement of matter for \$70,000 with Capote.	G.J.C.	0.30	\$120.00
2/17/2016	Review order re fairness of settlement.	G.J.C.	0.10	\$40.00
2/17/2016	Finalize research on fluctuating workweek in Second Circuit.	G.J.C.	0.50	\$200.00
2/17/2016	Call Capote and leave voicemail.	G.J.C.	0.10	\$40.00
2/17/2016	Travel and attendance at initial conference before Judge Torres.	L.P.	1.20	\$720.00
2/17/2016	Discussions with Cuadra re: settlement.	L.P.	0.70	\$420.00
2/17/2016	Discussion with Yost re: settlement.	L.P.	0.30	\$180.00
3/1/2016	Review draft settlement agreement.	L.P.	0.40	\$240.00
3/1/2016	Review and revise settlement agreement received from defense counsel.	G.J.C.	0.70	\$280.00
3/2/2016	Review and revise draft settlement agreement and send it to opposing counsel.	G.J.C.	0.30	\$120.00
3/4/2016	Review, revise, and send draft settlement agreement to opposing counsel.	G.J.C.	0.60	\$240.00
3/4/2016	Review final revisions to agreement.	L.P.	0.20	\$120.00
3/10/2016	Review and research joint motion for settlement approval.	G.J.C.	0.50	\$200.00
3/10/2016	Discussion with Cuadra re: fairness letter.	L.P.	0.10	\$60.00
3/10/2016	Review fairness letter.	L.P.	0.30	\$180.00
3/10/2016	Discuss fairness letter structure with Pechman.	G.J.C.	0.10	\$40.00
3/14/2016	Discuss settlement agreement release with opposing counsel via e-mail.	G.J.C.	0.10	\$40.00
3/14/2016	E-mail opposing counsel re inability to have a general release, per Judge Torres's most recent decisions.	G.J.C.	0.10	\$40.00
3/14/2016	Review email exchanges and discussion with Cuadra re: general release.	L.P.	0.20	\$120.00
3/15/2016	Discuss settlement agreement with Capote.	G.J.C.	0.10	\$40.00

3/16/2016	Review and revise joint motion for approval of settlement agreement.	G.J.C.	0.50	\$200.00
3/16/2016	Research, review, and revise draft of joint motion for approval of settlement agreement received from opposing counsel.	G.J.C.	0.90	\$360.00
3/17/2016	Research, revise, and revise joint motion for approval of settlement agreement.	G.J.C.	0.70	\$280.00
3/17/2016	Review terms and signing of agreement with Capote.	G.J.C.	0.50	\$200.00
3/17/2016	Finalize joint motion in support of settlement agreement with opposing counsel.	G.J.C.	0.20	\$80.00
3/17/2016	Finalize papers for filing tomorrow with opposing counsel, including motion and settlement agreement, as well as stipulation to dismiss case.	G.J.C.	0.20	\$80.00
3/18/2016	Draft and send letter to Court (and a copy to opposing counsel) enclosing courtesy copies of motion and settlement agreement.	G.J.C.	0.20	\$80.00
3/18/2016	File joint motion for settlement approval and settlement agreement, with stipulation to dismiss.	G.J.C.	0.10	\$40.00
3/31/2016	Discuss status of settlement with Capote.	G.J.C.	0.10	\$40.00
4/6/2016	Draft declaration of Louis Pechman in further support of settlement.	G.J.C.	1.10	\$440.00
4/8/2016	Discuss response to Court order denying settlement approval with Pechman and e-mail opposing counsel re next steps to seek approval.	G.J.C.	0.10	\$40.00
4/8/2016	Exchange e-mails with opposing counsel re how to submit a revised agreement, or how to amend the currently filed agreement, to comply with the Court's order.	G.J.C.	0.20	\$80.00
4/8/2016	Review all time records to date in connection with drafting Pechman Declaration in further support of approval of the parties' settlement.	G.J.C.	1.10	\$440.00
4/10/2016	Review and revise Pechman declaration.	L.P.	0.80	\$480.00
4/11/2016	Research, review, and revise Pechman Declaration in further support of approval of settlement.	G.J.C.	0.20	\$80.00
4/11/2016	Review and revise Pechman Declaration, then send it to opposing counsel for review.	G.J.C.	0.20	\$80.00
4/11/2016	Discuss redaction of time records with Judge Torres's clerk, who said to e-mail Court copy of documents as directed in Judge Torres's rules and explain in cover letter that information is, at least in part, privileged and cannot be sent to opposing counsel.	G.J.C.	0.10	\$40.00
4/11/2016	Review defendants' revision to settlement	G.J.C.	0.20	\$80.00

	agreement's release language and e-mail back execution copy of agreement to defense counsel.		
SUBTOTAL		80.40	\$35,580.00

Costs		
7/31/2015	TLO search on company and owners.	\$48.00
11/19/2015	FOIL Request fee.	\$13.50
12/9/2015	SDNY filing fee of \$400.00	\$400.00
SUBTOTAL		\$461.50

Matter Ledgers		
SUBTOTAL		\$0.00

Trust Account		
4/11/2016	Previous Balance	\$0.00
AVAILABLE IN TRUST		\$0.00

Invoice Summary		
TOTAL		\$36,041.50
PREVIOUS BALANCE DUE		\$0.00
CURRENT BALANCE DUE AND OWING		\$36,041.50